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RUCPDO/DEPT OF COMMERCE WASHDC PRIORITY
RHEBAAA/DEPT OF ENERGY WASHDC PRIORITY
RUEKJCS/SECDEF WASHINGTON DC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEKJCS/JOINT STAFF WASHDC PRIORITY
RHMFISS/DTRA ALEX WASHINGTON DC//OSAC PRIORITY

S E C R E T SECTION 01 OF 03 THE HAGUE 000578

SIPDIS

STATE FOR ISN/CB, VCI/CCA, L/NPV, IO/MPR,
SECDEF FOR OSD/GSA/CN,CP>
JOINT STAFF FOR DD PMA-A FOR WTC
COMMERCE FOR BIS (BROWN, DENYER AND CRISTOFARO)
NSC FOR LUTES
WINPAC FOR WALTER

E.O. 12958: DECL: 09/23/2019

TAGS: [LY](#) [PARM](#) [PREL](#) [CWC](#)

SUBJECT: CWC: LIBYA DESTRUCTION DEADLINE EXTENSION
REQUEST-- ARE THE LIBYANS BACKTRACKING?

REF: A. SECSTATE 59827

[1](#)B. THE HAGUE 526

[1](#)C. E-MAIL FERGUSON-SMITH/BAKER SEPTEMBER 9 2009
(RESPONSE TO LIBYA PAPERS)

[1](#)D. EC-58/NAT.5 (LIBYAN EXTENSION REQUEST)

Classified By: Janet E. Beik for reasons 1.4 (B) and (D)

This is CWC-55-09

[1](#)1. (U) This is an action request -- see para 4.

SUMMARY AND ACTION REQUEST

[1](#)2. (S) Libya formally submitted its national paper to the Organization for the Prohibition of Chemical Weapons on August 24 requesting an extension to its Chemical Weapons destruction deadline (ref D), before giving the U.S. Delegation a draft on August 27 as promised during the July Executive Council (EC). The reasons presented in the Libyan paper for the extension request (complaints by citizens groups and environmental concerns) appear to be lifted from U.S. explanations for delays in our own destruction program. However, senior officials at OPCW and members of other delegations are skeptical of the Libyan explanations for the extension. The Director-General himself told Delrep privately that the Libyans' extension request is a "work of pure fiction."

[1](#)3. (S) The Libyan government has been less than transparent in recent reports to the EC and has been less than truthful in its delegation's series of consultations with the U.S. and UK. While it would be awkward for the U.S. to publicly challenge Libya's extension request, due to its similarity to our own, Del believes that the U.S. should be directly confronting Libya privately with questions about its commitment to total CW destruction and its real timeline. Other delegations may wish to raise questions in the Executive Council, as they have in the past.

14. (S) Action requested: Del requests the inter-agency's and Embassy Tripoli's views on the legitimacy of Libya's justification for its extension request and whether the Government of Libya is walking back from its commitments to the Chemical Weapons Convention and the complete destruction of its CW stockpile. Del would appreciate talking points for use with the Libyan delegation, and for use with other national delegations, on the U.S. evaluation of Libya's extension request in the run-up to Executive Council 58 (October 13-16) when a decision will need to be made on that request.

BACKGROUND

15. (SBU) On August 27, Delrep received a copy of two Libyan papers in Arabic: (1) Notice of Amendments to the General and Detailed Plans for Converting the Former Chemical Weapons Producing Facilities "al-Rabta I" and al-Rabta II" and (2) National Paper of the Libyan Arab Jamahiriya Regarding the Request to Extend the Intermediate and Final Deadlines for Destroying the Chemical Weapons Arsenal. The papers were provided by Libya Delegate, Mohadeb Gheton and were provided only in Arabic. Gheton asserted that these were in draft form, requested USG comments, and stated Libya's

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intention to submit these formally to the OPCW after receiving USG comments. He stated a desire to submit both documents within thirty days of the upcoming Executive Council session. Gheton also asked that should the U.S. translation of the documents be completed in advance of their own, that the U.S. Delegation pass the copies to the UK Delegation for consideration as well.

16. (SBU) Both documents were translated into English at the State Department and returned to the Delegation on September 4. Delrep provided copies to the Libyan and UK delegations on September 5. On September 9, the USG response to the Libyan papers was provided via email (ref C).

17. (SBU) Meanwhile, other European delegations were reporting to Delreps that the Libyan government had demarched their embassies in Tripoli, requesting support the extension request but without providing the document.

18. (C) Delrep met with UK Delegate Karen Wolstenholme on September 15 to review U.S. and UK comments in advance of a scheduled trilateral discussion on September 16. Also on September 15, the Technical Secretariat released "The Socialist People's Libyan Arab Jamahiriya Request for Extension of the Intermediate and Final Deadlines for the Destruction of its Category 1 Chemical Weapons" (EC-58/NAT.5) (Del note: The TS document shows the date of submission as August 24, three days before the Libyan delegation gave us the "draft" in Arabic.)

19. (SBU) On September 16, Delrep met with UK Delegate Wolstenholme and Libya Delegate Ahmed Hassan Walid to discuss the status of both papers.

LIBYA'S DESTRUCTION DEADLINE EXTENSION REQUEST

¶10. (SBU) Walid informed Delrep and Wolstenholme that the deadline extension request paper was submitted in final form for consideration by Executive Council Session 58 (EC-58). Delrep expressed disappointment in the coordination of the document and stated that it had clearly been described as a draft which would be submitted following substantive discussion of the comments received from Washington and London. Wolstenholme inquired how the Libya delegation intends to handle the comments received from both delegations. Walid stated that he would prefer to receive the comments in the form of a non-paper which he will then pass to the National Authority in Tripoli. He stated that the comments could be further discussed with the technical team from Libya that will travel to The Hague to attend EC-58.

¶11. (SBU) Delrep verbally communicated the USG response (ref C) and provided a copy of the "Excerpts from the June 2009 Non Paper" while indicating that she would share the request for a non-paper with Washington. Walid had copies of previous USG non-papers with him and stated that the technical group had considered these in the drafting of their papers and would continue to do so in preparation for EC-58.

¶12. (SBU) Wolstenholme stated that she would request a non-paper from London as well, and Qrequest a non-paper from London as well, and provided the UK response to the extension request verbally. Both Delrep and Wolstenholme emphasized the desire for detailed communication of the destruction progress to include interim benchmarks

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for tracking progress, and highlighting that additional transparency into destruction operations and activity would likely foster greater support from States Parties for their extension request. Wolstenholme stated that the UK generally supports Libya's position on the extension request.

13.(SBU) Delrep, Wolstenholme and Walid tentatively scheduled a meeting with the Libya delegation, to include the technical group responsible or drafting these requests, on October 11 in advance of EC-58.

REQUEST TO RETAIN SANDBAG WALL

¶14. (SBU) Walid stated that the Libyan paper regarding the retention of the sandbag wall was also submitted to the Technical Secretariat in final form along with the "Notification of Changes to the General and Detailed Plans for Conversion of the CWPFS. Rabta Pharmaceutical Factory - 1, Rabta Pharmaceutical Factory - 2, (Phase II)" and provided a copy of the latter. (Delnote: Document was passed electronically to ISN-CB on September 16, but has still not been officially released by the TS.)

¶15. (SBU) Per Ref C guidance, Delrep communicated that the U.S. is agreeable to supporting the proposed amendments if the Government of Libya provides a firm commitment to meet the transparency level stipulated in our June non-paper on "General Considerations for the Rabta Conversion." Wolstenholme stated that the UK generally supports the Libya position on this paper as well, and added that inclusion of a description on the original function of the sandbag wall would be preferred.

¶16. (U) BEIK SENDS.
LEVIN